

REMARKS

ALLOWABLE CLAIMS

Applicants acknowledge with appreciation the allowance of claims 1-8, 10-16, 22-25, 27, 32 and 34.

CLAIM REJECTIONS

1. Indefiniteness

The antecedent basis problem of claim 21 has been corrected herein by amending the claim to remove the word "concave". The cited indefiniteness rejection is thus believed to be avoided.

2. Anticipation and Obviousness

Only claims 17-21, 28-31 and 33 were rejected on the merits in the aforementioned Office action.

Claims 17-21

Regarding the prior art rejections to claims 17-21, independent claim 17 recites a refrigeration unit with a scooped interior wall that allows a planar shelf thereof to be removed from its supports by simply pivoting the shelf. The scooped wall makes space so that the wall does not interfere with the pivoting of the shelf. The shelf can thus be removed or repositioned without needing to be slid full-width out of the door opening as in conventional refrigerators. This means that the refrigerator door need not be fully opened to remove/adjust the shelf, which is advantageous when a side of the refrigerator abuts a wall, and the shelf can be removed with less tilt so that less clearance is needed above and below the shelf. Nothing in the prior art of record, particularly the newly cited Nave and Squire references, discloses this nor collectively suggests such a structure.

The Nave patent teaches a refrigerator shelf with a special mechanism that allows the shelf to disengage its support. As shown in Figs. 1-4, the shelf has a slide bar 10 that when pulled outward disengages the front and rear offset portions 10a of the bar from two support brackets. In the Figs. 5-8 embodiment, the shelf has a guide bar 16 with turned back ends 17 and 17' that engage the supports 18 and 18'. The guide bar is fixed to the shelf by a center stop bracket 14 and two

front and rear hinge brackets 16 and 16'. The shelf hinges at the guide bar when the stop bracket disengages a bent locking portion 16' of the guide bar.

The Squire patent teaches a somewhat similar refrigerator shelf in which a special extension 15 is hingedly attached to the shelf at clips 18-20. The extension has a brace 16 that abuts a top side of the shelf and an extension 17 that rests on a surface of one of the support grooves 24-26. Thus, the extension holds the shelf horizontal when mounted in the refrigerator but hinges at the extension/shelf interface when the shelf is lifted up.

Both patents thus teach a hinge type mechanism for achieving the disengagement of the shelf from the shelf support and thereby removal or repositioning of the shelf. Moreover, the grooves and recesses disclosed in the Nave and Squire patents are a part of the shelf support itself and in neither case alone allow the shelf to be disengaged from the support. This is clearly the case or there would be no need for the hinge mechanisms identified above.

Therefore, applicants respectfully submit that the cited references do not disclose or suggest the invention of claim 17, and thus claims 17-21 are believed to be allowable.

Claims 28-31 and 33

Regarding the rejections to claims 28-31 and 33, claim 28 (and its dependants) are hereby amended to recite that the cabinet provides a cool storage cavity, and thus these claims do not encompass the washing appliance of the Arnold et al. patent. Moreover, claim 28 now recites that the overlay panel is mounted to conceal the floating face panel and the framing. The Arnold et al. patent does not disclose or suggest this either.

For one thing, as mentioned in applicants' prior response, the panels of the washer in the Arnold et al. patent are secured from movement by the tongue and groove connections so that they do not "float", the meaning of which is believed to be well understood. At paragraph 9 of the Office action, with reference to Fig. 6 of the Arnold et al. patent, it is asserted that this reference teaches "lateral sliding movement" of the door panels within the frame. However, looking at Fig. 9 of the

patent, one can see that there are tongue and groove connections both at the bottom (26) of the frame and along the upright part (24) of the frame. Thus, movement is prevented in both the up and down and side to side directions, such that there is no panel that can be considered floatably mounted.

Additionally, these claims now more clearly recite that the purpose of the overlay panel is to conceal the cabinet, including the framing of the door. The door of the Arnold et al. patent does not conceal the disclosed washer, only its access opening (and surrounding area). The outer panel 16 cited by the Office to correspond to the claimed overlay panel does not even conceal the framing of the door.

Thus, claim 28 and dependants are believed to be allowable.

CONCLUSION AND FEES

All pending claims (claims 1-8, 10-25 and 27-34) are now believed to be in allowable form. Reconsideration and allowance of the rejected claims is thus respectfully requested. Applicants request that Examiner Hansen contact the undersigned representative by telephone should this response be considered insufficient to put the case in condition for allowance.

No fees are believed due for consideration of this response. Authorization is hereby given, however, to charge any fees deemed necessary in connection with this response to Deposit Account 17-0055.

Respectfully submitted,

William A. Reed, et al.

By: 

Steven J. Wietrzny

Reg. No. 44,402

Attorney for Applicants

Quarles & Brady LLP

411 East Wisconsin Avenue

Milwaukee, WI 53202

(414) 277-5415